

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**ARCBEST II, INC. d/b/a U-PACK,**

Plaintiff,

**v.**

**NICHOLAS OLIVER, in his official  
capacity as Chief of the California Bureau  
of Household Goods and Services;  
KIMBERLY KIRCHMEYER, in her  
official capacity as Director of the California  
Department of Consumer Affairs;  
LOURDES M. CASTRO RAMIREZ, in her  
official capacity as Secretary of the  
California Business, Consumer Services and  
Housing Agency; MATTHEW  
RODRIGUEZ, in his official capacity as  
Acting Attorney General of California;  
GAVIN NEWSOM, in his official capacity  
as Governor of the State of California,**

Defendants.

2:21-cv-00627-KJM-AC

**ORDER SETTING BRIEFING AND  
HEARING SCHEDULE**

1 Having received and revised the parties' Stipulation, the Court adopts the following  
2 briefing and hearing schedule as set forth in the parties' Stipulation:

3 1. The hearing on Defendants' Motion to Dismiss, the hearing on Plaintiff's Motion for  
4 Summary Judgment, and the Status Conference currently scheduled for August 6, 2021 shall be  
5 continued to September 17, 2021. If Defendants file a Cross-Motion for Summary Judgment, that  
6 motion will also be heard on September 17, 2021;

7 2. Defendants' combined opposition and cross-motion for summary judgment shall be  
8 due by August 13, 2021;

9 3. Plaintiff's combined opposition and reply on summary judgment and Plaintiff's  
10 opposition to Defendants' Motion to Dismiss shall be due by September 3, 2021;

11 4. The parties shall file a joint status report on September 3, 2021; and

12 5. Defendants' reply on summary judgment and reply supporting their Motion to  
13 Dismiss shall be due by September 10, 2021.

14 Dated: July 23, 2021.

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17 CHIEF UNITED STATES DISTRICT JUDGE  
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